

more than two hours upon any square, street, alley or sidewalk; also any person or persons may use the squares, streets, alleys or sidewalks in the construction of any building, or for the purpose of filling trenches, or building material or any other purpose, or persons shall first have obtained the written permission of the mayor or the person acting as mayor, to use such squares, streets, alleys or sidewalks for any purpose.

Section 24.—Dead Animals, Filth, Etc., to be Kept From Streets.—No person shall deposit any dead animal or carcass, filth, rubbish, garbage, refuse, manure, hay straw, dirt, offal, refuse, manure, weeds, brush or any substance matter or waste of any kind or description, or any filthy or dirty water, upon any street, alley or public or private property in this city. Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined not less than five nor more than fifty dollars.

Section 25.—Unsanitary Places, Etc., Nuisances.—Any unsanitary, stinking, foul, defective or filthy drain, ditch, tank or gutter, or any leaking, broken, stop, garbage or manure boxes or receptacles of like character, whenever or wherever found within the limits of this city, or within one mile thereof, shall be deemed a nuisance.

Section 26.—Regulations Relating to Garbage and Sewerage, Etc.—Every cart, wagon or vehicle of any kind used to transport manure, garbage, refuse, filth, rubbish, carcass of any animal or any loose material, in any of the streets of this city, shall be fitted with a good and substantial tight box thereon, so that no portion of any substance being hauled shall fall in or be scattered or thrown on the streets or alleys; and all wagons, carts, or carriages used for hauling garbage, refuse, or any carcass or any offensive matter shall have the box thereon covered with sufficient covering, closely fitted, so as to prevent the escape or flying about of any of the contents or effluvia therefrom, and so as to hide from view the carcass of any animal being hauled.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than five nor more than one hundred dollars.

Section 27.—Powers to Abate Nuisances.—Every nuisance in this ordinance mentioned, declared or defined is hereby prohibited, and whenever the city marshal, board of health or health commissioner shall be informed that any nuisance exists within the limits of the city, or within one mile of the limits thereof, the health commissioner or city marshal shall have the power to abate or remove, either by filling up, draining, cleaning, purifying, discontinuing, or removing the same, as the case may be.

Section 28.—Duties of Board of Health.—Whenever the board of health shall receive any knowledge of anything or condition, or the existence of any nuisance prohibited by this ordinance, the board shall investigate the same, and if it finds the same to be a nuisance, they shall order any persons who have caused or are maintaining the same to appear before the board at such time and place as it may direct, and to show cause, if any, why they should not abate or remove the same. Provided, every person required to appear before the board shall have at least three days notice thereof.

Section 29.—Service of Notice.—Such notice shall be signed by the health commissioner, city marshal or by any member of the board of health, and shall be served upon such person, corporation, agent or manager by delivering a copy thereof to such person, or by leaving a copy at his residence with some member of the family over fifteen years of age, or upon any corporation by delivering the copy thereof to the president or to any officer at any business office of such corporation within the city.

Section 30.—Notice by Publication.—If such notice cannot be given for the reason that the owner, corporation, manager, agent or other persons named in such notice cannot be found in the city, of which fact the return upon such notice of the officer serving the same shall be conclusive evidence, then the board of health shall cause such notice to be published in the newspaper doing the city printing for three consecutive days, if a daily, and for one insertion, if a weekly, paper, giving at least three days notice of the time fixed for such parties to appear before the board of health.

Section 31.—Order to Abate.—After hearing all the facts in the case, if in the opinion of the board of health, no good and sufficient cause be shown why said nuisance, business, or thing should not be abated, discontinued or removed, said board shall direct the health commissioner or city marshal to order the parties to abate, discontinue or remove the same within such time as the board may deem reasonable.

Section 32.—Penalty for Refusal to Obey Such Order.—Any person or persons, corporation, manager or agent failing or refusing to obey such orders relating to the abatement of nuisances shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten nor more than one hundred dollars; and such persons, corporation, manager or agent shall be subject to like fines for each and every day he, she or they shall continue such nuisance, business or thing, after the expiration of the time specified in the order for the abatement, removal or discontinuance of the same.

Section 33.—Order of Police Judge to Abate Nuisance.—If upon trial and conviction for causing or maintaining any nuisance defined and prohibited by the ordinances of this city it shall appear that the nuisance complained of continues to exist, the police judge may, in addition to the penalty imposed for causing or maintaining such nuisance, make an order directing the marshal or health commissioner to abate the nuisance forthwith and report the expense thereof to the police judge, who may make the same a part of the judgment in addition to the fine imposed, the same to be collected as other fines and penalties.

Section 34.—Abatement of Pond Nuisance.—Whenever any pond or ponds of putrid or stagnant water are likely to become a nuisance and dangerous to life or detrimental to the health of the neighborhood in which they are situated, and the owner, agent, lessee or occupant of the ground upon which said pond is situated shall have been notified as herein provided to appear before the board of health and show cause why said pond, or ponds should not be abated by filling or draining and removing the cause of said nuisance, and shall fail to appear as required, or appearing, shall fail to show such cause, and if, after careful inquiry into the same, the board of health shall decide said pond, or ponds are a nuisance and dangerous to life or detrimental to the health of the neighborhood, said board shall order the abatement of the same, either by filling or draining. If the owner, agent, lessee or occupant to whom such order has been issued shall refuse or neglect to comply with the same within the time indicated in the said order, and fail to abate said nuisance within three days after notice of such order, then said owner, agent, lessee or occupant shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten nor more than one hundred dollars; and each and every day after the time specified in said notice wherein said pond nuisance exists shall constitute a separate and distinct offense.

Section 35.—Penalty for Failure to Obey.—If any person who shall have been so served with any such notice as required in this ordinance shall fail, within the time indicated in such order, which time shall be fixed by the board of health, to comply with such order or fail to show good cause to the board of health why he cannot or ought not to comply with such order, for which purpose he shall be heard before the board of health, if he so request, he shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than ten nor more than one hundred dollars; and the nuisance shall be abated and special tax bills rendered against the property in the same manner as against non-residents, or the cost of abating collected as in this ordinance provided.

Section 36.—Notice by Publication.—If the notice of such order cannot be made for the reason that the owner, agent or other person having charge of the property on which the nuisance may exist cannot be found in the city, of which fact a return upon such notice of the officer serving the same shall be conclusive evidence, then the board of health shall cause such notice to be published in the newspaper doing the city printing for three consecutive days, if a daily paper, and one insertion, if a weekly, giving at least three days notice.

Section 37.—Proceedings Where Owner Fails to Obey.—Costs as a Special Tax.—If within two days after the service of such notice or after a publication as aforesaid such nuisance shall not be abated or the order observed by the owner, agent, or occupant in relation thereto, or in relation to the cutting of any weeds on any lot, then the city council, by resolution, and the board of health when the cost of abating the same will not exceed twenty-five dollars, may order the same done as hereinafter directed; and the cost of the same when fully completed, shall be ascertained under the direction of street commissioner, city marshal or health commissioner, which ever has charge of the work, and the cost thereof reported to the city council, and the council shall by ordinance assess as a special tax against the property so improved, or upon which such work has been done, in the name of the owners thereof, when known, and if not known, then against the unknown heirs or unknown persons, and the certified bills of such assessment shall describe therein the property upon which the work is done, and the cost of abating any nuisance may be recovered by the city of the person maintaining the same in any court of competent jurisdiction, or taxed as cost by the police judge upon a conviction before him.

Section 38.—Special Tax Bills.—A lien.—Said bills shall be recorded and shall be collected and paid as provided in the ordinance in relation to the collection of other special tax bills for building or repairing sidewalks or grading or paving streets, and shall be a lien on said property.

Section 39.—Proportionment of Cost.—The cost of abating nuisances on each lot in proportion to the amount of work done and material used in abating the nuisance located on such lot.

Section 40.—Pond Nuisance Abated by Drainage or Filling.—When a pond nuisance is abated by drainage or by filling, the total cost of the work and material used for the purpose shall be apportioned and assessed on all lots which were in whole or in part covered by the water at the time of the condemnation of said pond by the board of health; each lot to be assessed proportionately to the area of such lot covered by water, or to the quantity of material deposited on such lot, and such filling shall be carried up to a point where the water on the lot can be drained into a public or district sewer or natural waterway.

Section 41.—Same; Separate Assessment.—When.—When a pond nuisance is abated by both draining and filling, separate assessments shall be made for draining and filling, in the manner hereinbefore provided.

Section 42.—Penalty for Causing or Maintaining Nuisance.—Every person, or every officer or agent, or employee of any corporation who shall, within this city cause or maintain any nuisance, as in this or any other ordinance of this city defined, and who shall fail or refuse to abate or remove the same within the reasonable time required and specified in the notice of the city marshal or health commissioner to abate or remove the same, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than five nor more than one hundred dollars, and every day such nuisance is maintained shall constitute a separate and distinct offense, punishable by a like fine.

Section 43.—Deed of May Remove Nuisance.—Costs to be Paid by Whom.—When.—The council is authorized to prevent, abate and remove, in a summary manner, and in manner specified by resolution, any nuisance defined by the ordinances of this city, existing on any private property within this city, and to assess the costs and expenses incurred by the city in removing or abating such nuisance as a special tax against such property and to assess a special tax bill against the same, in the name of the owner or owners of such property; provided, that such nuisance was caused by such owner or owners, or by his or their agent, or any other person with the consent of such owner or owners. Said special tax so levied and special tax bill so issued against said property for the costs and expenses of such abatement, or removal of such nuisance, shall be a special lien against such property in the same manner and with the same effect that special tax bills are for paying streets, paid for by special assessments. Such a special tax bill shall be in favor of the city of Cape Girardeau, and the same may be collected by suit thereon, in the name of the city, in its own behalf, in any court of competent jurisdiction, and said levy, special assessment and tax bills, and all matters and things incident and pertaining thereto, shall in so far as practicable, conform with the levy, special assessment and tax bill for the paving of streets, paid for by special assessments.

Section 44.—Certain Nuisances Assumed Here, by Whom, and at Whose Expense.—Should any nuisance as defined by the ordinances of this city, exist therein, the abatement or removal of which is not prescribed or provided for in the preceding sections of this ordinance pertaining to the abatement or removal of nuisances, the same shall be forthwith abated or removed by the city marshal or health commissioner at the expense of the city.

Section 45.—Terms Defined.—The word filth, whenever used in this article, shall be held to include cinders, coal, charred paper, charred wood, paper, rags and everything that has been mixed with filth of any kind; the word rubbish shall be held to include all loose and decayed material and dirt like substances that decay or rot or accumulate from building, storing or cleaning; the word garbage shall be held to include every accumulation of both animal or vegetable matter, liquid or otherwise, that is received from kitchens, stores, shops, bakeries, or other places; and shall include all putrid or unsound meat, fish, decayed or unsound vegetables or fruit.

Section 46.—Duty of Police.—It shall be the duty of all police officers to watch for and arrest any and all persons violating any of the provisions of this ordinance, and to report any places coming under their notice to the health commissioner or board of health.

Section 47.—Conflicting Ordinances Repealed.—All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 48.—To Take Effect When.—This ordinance shall take effect and be in force from and after its passage and approval.

Section 49.—Punishment of Case Not Fixed or Provided Herein.—Whenever any act is declared to be a nuisance, or any act is prohibited, or declared to be a misdemeanor, and no punishment is prescribed by this or any other section, then the offender shall be punished by a fine not exceeding one hundred dollars, or by imprisonment in the city jail not exceeding three months, or by both such fine and imprisonment.

Passed this 7th day of July, 1911.
F. A. KAGE,
Presiding officer of the council.
Approved this 7th day of July, 1911.
F. A. KAGE,
Mayor.
Attest: CHRIS F. BETTEN,
City Clerk.

A RESOLUTION.

A Resolution declaring it necessary to improve Jefferson Avenue from the center of Benton street to the east property line of Henderson Avenue, by grading and constructing concrete street, with granitoid curbs where needed.

BE IT RESOLVED AND DECLARED, by the council of the City of Cape Girardeau, Missouri, that Jefferson Avenue, be improved from the center of Benton street to the east property line of Henderson Avenue, be improved by grading to the established grade and constructing a concrete street and curb when needed.

That the council hereby declares that it deems such improvement necessary to be made, and that it shall be done according to the plans and specifications for such work prepared by the city engineer under the directions of the Street and Wharf Committee, together with an estimate of the cost thereof, and which plans and specifications and estimate are on file in the office of the city clerk and subject to the inspection of the public.

That said work shall be done by contract and all cost incident thereto shall be assessed against the real estate fronting said street improved in proportion to the front foot thereof, and shall be paid for in special tax bills issued in favor of and delivered to the contractor, and the city shall in no event be liable for the work as herein provided for, except as it may be liable for any property owned by the city

and abutting on the street. That this resolution shall be published for two consecutive insertions in the Cape County Herald, the newspaper doing the city printing.

That the plans and specifications marked "Approved, adopted and filed this 3rd day of July, 1911," for said work be and are hereby approved and adopted as such for said work herein provided for.

This 3rd day of July, 1911.
Signed, William H. Coerver.
A true copy as the same was adopted July 3rd, 1911, remains on file in my office.

Attest: Chris F. Betten,
2w (Seal) City Clerk.

NEW CAPITOL CHART CLASS.

"The new capitol building will come into being in 1912, when the capital of Missouri is moved to Jefferson City."

"In 1922, at Jefferson City, the government of the State of Missouri will be moved to the new capitol building."

"What are the urgent needs of the state?" "The urgent needs of the state are the new capitol building, the new state house, the new state office building, and the new state court house."

"The main building was erected in 1837, the wings in 1837. The building was struck by lightning and burned on Sunday, February 2, 1911, and Missouri is now without a capitol, her state offices being homeless."

"What steps have been taken looking toward the rebuilding of the capitol at the permanent seat of government?"

"The 45th General Assembly passed two propositions, namely: a plan for rebuilding the capitol grounds and rebuilding the capitol building, and a plan for rebuilding the capitol grounds and rebuilding the capitol building, and a plan for rebuilding the capitol grounds and rebuilding the capitol building."

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THE QUESTION OF COST.

The careful business man always counts the cost and estimates the benefits of every business enterprise. Applying this method to the proposition to rebuild the state capitol, to be voted on August 1, what do we find? The tax rate being 2 cents on the \$100 assessed valuation, the following table will give the cost to the state.

Assessed Val.	Per Year	10 Years	15 Years
\$100,000,000	\$2,000,000	\$20,000,000	\$30,000,000
\$200,000,000	\$4,000,000	\$40,000,000	\$60,000,000
\$300,000,000	\$6,000,000	\$60,000,000	\$90,000,000
\$400,000,000	\$8,000,000	\$80,000,000	\$120,000,000
\$500,000,000	\$10,000,000	\$100,000,000	\$150,000,000

When you consider that the state is only one of the states of the Union, and that the cost of the new capitol building is only one of the costs of the state, you will see that the cost of the new capitol building is not so great as it is made out to be. The cost of the new capitol building is only one of the costs of the state, and the cost of the new capitol building is not so great as it is made out to be.

The cost is small; the benefits are great. It is a wise investment; tend your influence to the end that it may be made August 1st.

WHO SHOULD VOTE "YES."

These should go to the polls on August 1 and vote for the new capitol proposition:

All who favor the present permanent seat of government, magnificent in its scenic beauty, splendid in its historical setting, and sacred in its traditions and remembrances.

All who oppose opening the question of capitol removal, frittering away the time and money and patience of the people in schemes that can never receive the approval of the voters.

All who favor rebuilding the capitol now and not dragging the matter over the tortuous routes of controversy for a score of years.

All who believe that the new capitol building will be a masterpiece of architecture and a credit to the state.

All who have served in the legislature and know the need of a new capitol building.

All who would have the new capitol building be a credit to the state and a monument to the people.

All who love the grand old state and would not see her lag behind her sister states in the matter of civic improvement.

All who think we need a capitol building at all and are big enough and generous enough to be willing to pay the pittance required to build it.

A SOUND BUSINESS PROPOSITION.

You can't figure out a sounder business proposition than that which urges the people to vote the \$3,500,000 new capitol August 1st. The law provides that only this amount may be used; that \$300,000 of it goes to furnishing the new capitol, \$300,000 to purchasing additional capitol grounds; and \$3,000,000 must rebuild the capitol completely—the state will not be liable for any added sum expended. This amount is broken up into thirteen equal parts of \$269,230 per year, the bonds running thirteen years, which is a sum so small as not to be felt by such a rich and growing state as ours. This annual payment in turn is broken up into very small parts of 2 cents on the \$100 assessed valuation and distributed among the taxpayers of the state, a sum that means only a few cents to each individual. The proposition is not only a sound one when considered alone, but is strengthened when considered in the light of the \$5,000,000 issue to be voted on November, 1912, if the August election fails to see its adoption.

To carry the \$3,500,000 proposition, not only means a new state house which is badly needed and which we can not build for less, but it also means a saving of \$5,000,000 in principal and an equal saving in interest over the \$5,000,000 plan. Its good business and its saving of the state's money are a fact, and it is a fact that the state's money is being saved and carried by the new capitol building.

Old sofas, cloth-covered chairs and all cloth-covered furniture can be made to look like new by painting the cloth with a hot solution of PUTNAM FADELESS DYE.

JUST SUPPOSE A CASE.

Suppose lightning should strike the court house in your county and burn it down, leaving you without a home for the county offices and without vault protection for the county records, would you not favor a proposition that had for its object the building of a new court house? Of course you would; it's natural an insult to your intelligence and enterprise to risk the situation. The State of Missouri, your state that you love so well, is confronted with exactly this condition. Lightning destroyed the capitol, the state offices are homeless, the state legislature is without a place to meet; the state records are priceless and of incalculable value, are at the mercy of fire and flood—liable to destruction at any moment. Under such circumstances, would you not raise the question as to whether or not the loyal Missourians should rebuild an adequate capitol as soon as possible to give an insult to his spirit of progress.

THE VOICE OF THE PRESS.

The Herald favors the building of the new state capitol. Let's vote right in August.—DeKalb Co. Herald.

This paper thinks that \$2,500,000 is enough to erect and furnish a new capitol, hence favors voting aye on August 1st.—St. Clair Democrat.

The proposition of rebuilding the state capitol at Jefferson City is to be voted upon in August and should carry by a handsome majority.—Columbia Daily Tribune.

The state is now entirely without a capitol building and it has to have one. Every voter should feel a pride in sanctioning the proposition to erect a state house in keeping with the full requirement and dignity of "Imperial Missouri." The proposition to be submitted in August ought to easily carry.—Missouri Cash Book.

Voters throughout the state should organize and carry the three and a half million dollar proposition for a new capitol.—Mexico Ledger.

Let's rebuild the state capitol at Jefferson City and issue three and a half million dollars in bonds therefor.—Mexico Intelligencer.

Nearly all the leading men of both political parties, including public officials, believe that the permanent seat of government should and must remain at Jefferson City, and they are favorable to the pending three and a half million dollar bond proposition.—Mexico Daily Star.

A better proposition in business has never been put up to the people of Missouri than that to expend \$3,500,000 upon a new capitol building, its equipment and additional grounds.—St. Joseph Gazette.

The people almost without exception are agreed that the capitol should be rebuilt as speedily as possible.—Poplar Bluff Citizen-Democrat.

This is a movement of state-wide interest in which all voters should unite regardless of politics, and thereby do an act really of credit to the state.—Covell Chief.

The new capitol will be worth to the state ten times as much as it will cost.—Cape County Herald.

The people of this state, on Tuesday, August 1st, will by their votes give the new capitol proposition their universal approval.—Excelsior Springs Standard.

The true citizen of Missouri can not afford to vote against the issue of bonds on August 1st for the erection of a new state capitol.—Huncoilton Tribune.

In these days of progress in Missouri the people can well afford to incur a debt of \$3,500,000 for a new capitol.—Gasconade Republican.

This paper is heartily in favor of the three and a half million dollar bond issue to build a new capitol and will work to that end.—Deepwater World.

Vote for the three and a half million dollar bond issue to rebuild the state capitol.—De Soto Press.

Missourians will hardly hesitate to vote three and a half million dollars to rebuild and furnish a new capitol.—Johnson County Star.

As for us and ours we are going to support the three and a half million dollar new capitol proposition.—Doniphan Prospect-News.

Let's get in line for the August election and settle the matter then, and settle it right.—Caruthersville Twice-Week Democrat.

There is no valid reason why this proposition to rebuild the state capitol should not be heartily supported August 1st.—Clifton Hill Rustler.

The state is able to build and equip a suitable state house and the sooner it is done the better.—Bloomfield Vindicator.

AN APPEAL TO STATE PRIDE.

The \$2,500,000 proposition for rebuilding the state capitol, to be voted on August 1, appeals to the every loyal Missourian, as it appeals to the sense of economy and the sense of dispatch in transacting business. The capitol question is to be settled right and

on August 1.